



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR 07 2014

CERTIFIED MAIL 7012 1010 0002 0759 7141
RETURN RECEIPT REQUESTED

Mr. Robert M. Smith
Public Works Director/City Engineer
City of Flagler Beach
105 Second Street
Flagler Beach, Florida 32136

Re: Notice of Violation No.: 309-2014-11
Information Request pursuant to 308 of the Clean Water Act
National Pollutant Discharge Elimination System Permit No.: FL0026611
Flagler Beach Waste Water Treatment Facility

Dear Mr. Smith:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the City of Flagler Beach (City) that it has violated its National Pollutant Discharge Elimination System Permit No.: FL0026611 (Permit) for the Flagler Beach Waste Water Treatment Facility (WWTF). Specifically, the City's WWTF has violated effluent requirements for the parameters and months listed below:

<u>Parameter Description</u>	<u>Outfall</u>	<u>Violation</u>	<u>Limit Value</u>	<u>DMR Value</u>	<u>Units</u>	<u>Reporting Period</u>
pH	001	Minimum	6.50	6.30	SU	3/31/2011
Iron, total recoverable	001	Maximum	0.30	0.33	mg/L	4/30/2011
pH	001	Minimum	6.50	6.40	SU	5/31/2011
Chlorine, total residual	001	Minimum	0.50	0.40	mg/L	5/31/2011
pH	001	Minimum	6.50	6.00	SU	7/31/2011
Chlorine, total residual	001	Minimum	0.50	0.45	mg/L	7/31/2011
Chlorine, total residual	001	Minimum	0.50	0.25	mg/L	8/31/2011
Chlorine, total residual	001	Minimum	0.50	0.00	mg/L	9/30/2011
Chlorine, total residual	001	Minimum	5.00	0.00	mg/L	10/31/2011
Cyanide, total [as CN]	001	Maximum	25.00	31.00	µg/L	11/30/2011
Chlorine, total residual	001	Minimum	0.50	0.00	mg/L	1/31/2012
Solids, total suspended	001	Monthly Average	30.00	122.00	mg/L	3/31/2012

<u>Parameter Description</u>	<u>Outfall</u>	<u>Violation</u>	<u>Limit Value</u>	<u>DMR Value</u>	<u>Units</u>	<u>Reporting Period</u>
Cyanide, total [as CN]	001	Maximum	25.00	28.00	µg/L	5/31/2012
Chlorine, total residual	001	Minimum	0.50	0.00	mg/L	5/31/2012
Chlorine, total residual	001	Minimum	5.00	0.00	mg/L	8/31/2012
Chlorine, total residual	001	Minimum	5.00	0.00	mg/L	9/30/2012
pH	001	Maximum	8.50	8.60	SU	2/28/2013
Nitrogen, total	001	Annual Max	25915.00	28516.16	lb/yr	3/31/2013
BOD, 5-day, percent removal	001	Monthly Average Min	85.00	83.62	%	3/31/2013
Solids, suspended percent removal	001	Monthly Average Min	85.00	81.30	%	3/31/2013
Oxygen, dissolved [DO]	001	Minimum	5.00	4.01	mg/L	4/30/2013
Solids, total suspended	001	Monthly Average	30.00	42.25	mg/L	4/30/2013
Nitrogen, total	001	Annual Max	25915.00	32489.00	lb/yr	4/30/2013
Chlorine, total residual	001	Minimum	0.50	0.00	mg/L	4/30/2013
Coliform, fecal general	001	Maximum	800.00	20000.00	#/100mL	4/30/2013
BOD, carbonaceous, 05 day, 20 C	001	Monthly Average	25.00	42.75	mg/L	4/30/2013
BOD, carbonaceous, 05 day, 20 C	001	Weekly Average	40.00	42.75	mg/L	4/30/2013
BOD, carbonaceous, 05 day, 20 C	001	Maximum	60.00	72.00	mg/L	4/30/2013
BOD, 5-day, percent removal	001	Monthly Average Min	85.00	70.26	%	4/30/2013
Solids, suspended percent removal	001	Monthly Average Min	85.00	66.20	%	4/30/2013
Solids, total suspended	001	Weekly Average	45.00	60.00	mg/L	5/31/2013
Nitrogen, total	001	Annual Total	25915.00	31915.51	lb/yr	5/31/2013
Chlorine, total residual	001	Minimum	0.50	0.27	mg/L	5/31/2013
Peracetic Acid	001	Maximum	1.00	1.53	mg/L	5/31/2013
Solids, suspended percent removal	001	Monthly Average Min	85.00	84.18	%	5/31/2013
Nitrogen, total	001	Annual Total	25915.00	28868.47	lb/yr	6/30/2013
Iron, total recoverable	001	Maximum	0.30	1.60	mg/L	6/30/2013
Peracetic Acid	001	Maximum	1.00	1.52	mg/L	6/30/2013
Nitrogen, total	001	Annual Total	25915.00	26265.48	lb/yr	7/31/2013
Cyanide, total [as CN]	001	Maximum	1.00	4.80	µg/L	7/31/2013
Peracetic Acid	001	Maximum	1.00	1.23	mg/L	7/31/2013
Peracetic Acid	001	Maximum	1.00	1.23	mg/L	8/31/2013
Nitrogen, total	001	Annual Total	25915.00	27007.08	lb/yr	9/30/2013
Nitrogen, total	001	Annual Total	25915.00	29888.96	lb/yr	10/31/2013
Peracetic Acid	001	Maximum	1.00	1.13	mg/L	10/31/2013
Nitrogen, total	001	Annual Total	25915.00	30043.82	lb/yr	11/30/2013
Peracetic Acid	001	Maximum	1.00	1.49	mg/L	11/30/2013

<u>Parameter Description</u>	<u>Outfall</u>	<u>Violation</u>	<u>Limit Value</u>	<u>DMR Value</u>	<u>Units</u>	<u>Reporting Period</u>
Nitrogen, total	001	Annual Total	25915.00	28417.45	lb/yr	12/31/2013
Peracetic Acid	001	Maximum	1.00	1.44	mg/L	12/31/2013
Alpha, gross particle activity	001Q	Maximum	5.00	6.80	pCi/L	3/31/2011
Alpha, gross particle activity	001Q	Maximum	5.00	6.90	pCi/L	6/30/2011
Alpha, gross particle activity	001Q	Maximum	5.00	6.00	pCi/L	9/30/2011
Alpha, gross particle activity	001Q	Maximum	5.00	9.70	pCi/L	12/31/2011
Alpha, gross particle activity	001Q	Maximum	5.00	5.80	pCi/L	3/31/2012
Alpha, gross particle activity	001Q	Maximum	5.00	6.10	pCi/L	6/30/2013
IC25 Static Renewal 7 Day Chronic Mysidopsis Bahia	001S	Minimum	100.00	72.00	%	6/30/2012
IC25 Static Renewal 7 Day Chronic Menidia	001S	Minimum	100.00	70.00	%	6/30/2012

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that the City provide a written explanation of the reasons for each of the violations identified above, any other effluent violations that may have occurred from January 1, 2014, to the present and provide a summary of actions taken or planned by the City to correct the problems and prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

The City must submit this information within 30 days of receipt of this correspondence. The submittal must be addressed to:

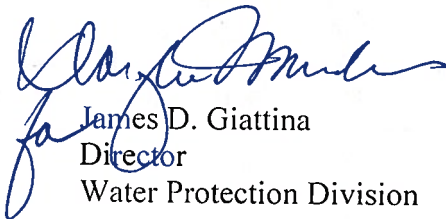
Ms. Alenda Johnson
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

The State of Florida (State) is being concurrently notified of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner, and/or the City fails to respond to the Information Request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties or initiation of a civil judicial action pursuant to Section 309 of the CWA, 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Ms. Alenda Johnson, of my staff, at (404) 562-9761 or by e-mail at Johnson.Alenda@epa.gov.

Sincerely,



James D. Giattina
Director
Water Protection Division

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection